

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 IO-14 ISO-00 L-03 ACDA-19 CIAE-00

DODE-00 PM-07 INR-10 NSAE-00 NASA-04 NSC-07 RSC-01

SCI-06 CCO-00 OTPE-00 FCC-03 OC-06 COME-00 AF-10

ARA-16 EA-11 NEA-14 OIC-04 DRC-01 /173 W

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R 171619Z MAY 74

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 832

INFO USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 1 OF 2 BRUSSELS 3196

FOR EB/CBS - SEARBY AND GENEVA USDEL LEGAL SUBCOMMITTEE, UN
OUTER SPACE COMMITTEE FROM USDEL BRUSSELS CONFERENCE - WINTER

E.O. 11652: NA

TAGS: OCON, BE

SUBJECT: BRUSSELS INTERNATIONAL CONFERENCE ON PROGRAMME-
CARRYING SIGNALS TRANSMITTED BY SATELLITE

REF: (A) BRUSSELS 3036; (B) GENEVA 3014; (C) BRUSSELS 2954;
(D) DEPT'S 8040

1. AS REPORTED IN REFTEL (A) CHAIRMAN OF MAIN COMMITTEE (BRA-
ZIL-DA COSTA) CHAIRED WORKING GROUP MEETING ON MAY 14. NO AGREE-
MENT COULD BE REACHED IN MAY 14 MEETING SINCE U.S.S.R. AND HUNGARY,
WITH SOME SUPPORT FROM ALGERIAN AND MEXICO PRESSED FOR INTERPRETIVE
STATEMENTS TO BE PUT IN TRANSMITTAL DOCUMENT.

2. AT END OF MAIN COMMITTEE MEETING ON MAY 14 DE COSTA DIS-
TRIBUTED TO MEMBERS OF WORKING GROUP A PROPOSED LETTER TO THE
SECRETARY-GENERAL OF THE UN WHICH HE DESIGNATED WG DOCUMENT1.

"PROPOSAL OF THE CHAIRMAN OF THE WORKING GROUP
SIR,

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1. THE INTERNATIONAL CONFERENCE OF STATES ON THE DISTRIBUTION OF PROGRAMME-CARRYING SIGNALS TRANSMITTED BY SATELLITE HAS BEEN SEIZED WITH A PROPOSAL OF THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UKRAINIAN SOVIET SOCIALIST REPUBLIC AND THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC TO INSERT THE CONVENTION A NEW ARTICLE THE TEXT OF WHICH IS AS FOLLOWS:

EACH CONTRACTING STATE SHALL UNDERTAKE TO EXCLUDE IN ALL CASES FROM PROGRAMMES TRANSMITTED VIA SATELLITE ANY MATERIAL DETRIMENTAL TO THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY, PUBLICIZING IDEAS OF WAR, NATIONAL AND RACIAL HATRED AND AIMED AT INTERFERING IN THE DOMESTIC AFFAIRS OF OTHER STATES OR UNDERMINING THEIR NATIONAL LAWS, CUSTOMS AND TRADITIONS.'

2. THE CONFERENCE CONSIDERED THAT THIS PROBLEM, REGARDLESS OF ITS GREAT IMPORTANCE, WAS NOT WITHIN THE LIMITED SCOPE OF THE CONFERENCE.

3. I AM TRANSMITTING TO YOU THE ATTACHED REPORT AND THE VERBATIM RECORDS OF THE CONFERENCE RELATING TO THIS SUBJECT, IN ORDER THAT THESE DOCUMENTS MAY BE SENT TO MEMBER STATES AS OFFICIAL DOCUMENTS OF THE UNITED NATIONS ORGANIZATION, AND SUBMITTED TO THE OUTER SPACE COMMITTEE SO THAT IT MAY TAKE THEM INTO ACCOUNT IN ITS WORK.

PLEASE ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION.

PRESIDENT OF THE CONFERENCE

MR. KURT WALDHEIM

SECRETARY GENERAL, UNITED NATIONS ORGANIZATION"

USDEL AND CANADIAN DEL AGREED THAT TACTICALLY IT WAS BETTER TO WORK FROM DE COSTA'S DRAFT THAN ATTEMPT TO INTRODUCE COMPLETELY NEW TEXT BY U.S. AND CANADA.

3. CHAIRMAN OF WORKING GROUP ALSO PROPOSED THAT A STATEMENT (WG DOCUMENT 2) BE PLACED IN THE RAPporteur GENERAL'S REPORT (HEREAFTER REPORT) AS FOLLOWS:

"DURING THE CONFERENCE, NO NEGATIVE POSITION WAS EXPRESSED WITH RESPECT TO THIS PRINCIPLE (I.E., SOVIET PROPOSAL). NEVERTHELESS, THE MAJORITY OF DELEGATIONS, FOR REASONS OF COMPETENCE OR THE MANDATE OF THE CONFERENCE, PREFERRED NOT TO CONSIDER THIS SUBJECT."

USDEL AND CANADIAN DEL AGREED THAT THERE SHOULD BE NO REPEAT NO LIMITED OFFICIAL USE

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INTERPRETIVE STATEMENT PUT IN THE REPORT REGARDING THE DEBATE ON THE SOVIET PROPOSAL. THE REPORT SHOULD SPEAK FOR ITSELF.

4. AT OPENING OF WORKING GROUP MEETING ON MAY 15 (9:00 A.M.) MEXICAN DEL ALSO HAS A PROPOSAL (WG DOCUMENT 3) FOR INSERT IN REPORT:

" DURING THE CONFERENCE, NO OPPOSITION TO THIS PRINCIPLE WAS VOICED. HOWEVER, THE MAJORITY OF THE DELEGATIONS CONSIDERED

THAT, IN SPITE OF ITS GREAT IMPORTANCE, THIS PROBLEM WAS NOT WITHIN THE LIMITED SCOPE OF THE CONFERENCE AND THEY DECIDED TO REQUEST THE PRESIDENT OF THE CONFERENCE TO SEND A WRITTEN COMMUNICATION ON THIS SUBJECT TO THE SECRETARY-GENERAL OF THE UNITED NATIONS ORGANIZATION."

5. DURING COURSE OF 2-1/2 HOURS DEBATE USDEL AND CANADIAN DEL OUTLINED "PACKAGE DEAL" IF LETTER TRANSMITTING CERTAIN CONFERENCE DOCUMENTS WERE TO BE SENT TO SECRETARY-GENERAL OF THE UN: (A) LETTER WOULD NOT BE INTERPRETIVE AND WOULD NOT USE TERM "PRINCIPLES" IN REFERENCE TO SOVIET PROPOSAL; (B) THERE WOULD BE NO INTERPRETIVE STATEMENTS PROPOSED BY WORKING GROUP FOR INSERTION IN REPORT; (C) THE SOVIETS WOULD AGREE TO WITHDRAW THE ARTICLE QUOTED IN PARAGRAPH 1 OF WG DOCUMENT #1 AND THEIR PROPOSAL TO ADD PRINCIPLES IN THIS ARTICLE TO THE PREAMBLE; (D) THE SOVIETS WOULD AGREE TO WITHDRAW

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ACTION EB-11

INFO OCT-01 ISO-00 IO-14 AF-10 ARA-16 EA-11 EUR-25 NEA-14

RSC-01 OIC-04 CCO-00 CIAE-00 OTPE-00 FCC-03 INR-10

NSAE-00 OC-06 COME-00 ACDA-19 DODE-00 PM-07 L-03

NASA-04 NSC-07 SCI-06 DRC-01 /173 W

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R 171619Z MAY 74

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 833

INFO USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 2 OF 2 BRUSSELS 3196

FOR EB/CBA - SEARBY AND GENEVA USDEL LEGAL SUBCOMMITTEE, UN OUTER SPACE COMMITTEE FROM USDEL BRUSSELS CONFERENCE - WINTER

THEIR PROPOSAL FOR A NEW ARTICLE 7 BIS INTRODUCED AFTER THE WORKING GROUP WAS ESTABLISHED. ("CONTRACTING STATES SHALL BEAR INTERNATIONAL RESPONSIBILITY FOR ALL NATIONAL ACTIVITIES CONNECTED

WITH THE USE OF SATELLITES FOR BROADCASTING, IRRESPECTIVE OF WHETHER SUCH BROADCASTING IS CARRIED OUT BY GOVERNMENTAL AGENCIES OR BY NON-GOVERNMENTAL ORGANIZATIONS OF JURIDICAL PERSONS."); (E) USDEL AND CANADIAN DEL WOULD AGREE TO HAVE DA COSTA LETTER FROM PRESIDENT OF THE CONFERENCE TO THE SG-UN TRANSMITTING THE REPORTEUR GENERAL'S REPORT (USA) AND THE VERBATIM RECORD OF THE CONFERENCE WITH A NEW PARAGRAPH 2 PROPOSED BY USDEL AFTER CONSULTATION WITH CANADIAN DEL. NEW PARAGRAPH 2 AS FINALLY AGREED UPON BY ALL DELEGATIONS IN WORKING GROUP READS: "ALTHOUGH THE ISSUE RAISED IN PARAGRAPH 1 WAS OF IMPORTANCE TO A SIGNIFICANT NUMBER OF DELEGATIONS, THE CONFERENCE CONSIDERED THE ISSUE BEYOND ITS SCOPE."

6. "PACAGE DEAL" AS FINALLY AGREED UPON INCLUDED FOLLOWING ELEMENTS: (A) UDEL AND CANADIAN DEL AGREED TO SEND DA COSTA LETTER TO MAIN COMMITTEE FOR CONSIDERATION WITH NEW PARAGRAPH 2.; (B) SOVIET DEL AGREED TO WITHDRAW ARTICLE 3 AND THEIR PROPOSAL, LIMITED OFFICIAL USE
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SECONDED BY ALGERIA, TO ADD PRINCIPLES IN THIS ARTICLE TO PREAMBLE. THEY WOULD NOT AGREE TO WITHDRAW NEW ARTICLE 7 BIS ON GROUNDS THAT IT WAS A NEW PROPOSAL WHICH HAD NOT BEEN DISCUSSED IN MAIN COMMITTEE. (USDEL AND CANADIAN DEL AGREED BECAUSE WE BELIEVED WE COULD DEFEAT PROPOSAL. VOTE IN MAIN COMMITTEE THAT AFTERNOON WAS 9 FOR, 24 AGAINST, 9 ABSTENTIONS); (C) NO INTERPRETATION IN REPORT AND NO RESOLUTION.

7. MAIN COMMITTEE DEBATES CONCLUDED AFTERNOON (MAY 15) AND ALL IMPORTANT POINTS USDEL POSITION ATTAINED. WE ARE NOW REVIEWING PROPOSED CONVENTION. DRAFTING COMMITTEE CONCLUDED ITS WORK ON MAY 16. MAIN COMMITTEE MEETS AGAIN MAY 17 TO APPROVE CONVENTION. PLENARY COMMITTEE MEETS AFTERNOON MAY 18.

8. USDEL SPENT CONSIDERABLE TIME ON MAY 16 WITH CONGRESSMAN OLIN TEAGUE, CHAIRMAN, HOUSE SCIENCE AND ASTRONAUTICS COMMITTEE; FRANK HAMMILL; COUNSEL OF THAT COMMITTEE; AND LEON DROZD, NEW CHIEF CLEAK OF COMMITTEE. CONGRESSMAN TEAGUE EXPRESSED DESIRE TO PREPARE REPORT ON CONFERENCE INCLUDING RAPPORTUER GENERAL'S REPORT AND TEXT OF CONVENTION. USDEL AGREED TO ASSIST COMMITTEE COUNSEL IN PREPARATION OF REPORT. CONGRESSMAN TEAGUE RAISED TEXAS INSTRUMENTS PROPOSAL CONCERNING RETROACTIVE PATENT PROTECTION IN USSR AND I EXPLAINED PROBLEMS ARISING OUT OF THIS PROPOSAL. HE ALSO RAISED TRANSFER OF ADVANCED TECHNOLOGY AND DEVELOPED COUNTRIES AND I STRESSED IMPORTANCE TO TWO-WAY FLOW OF TECHNOLOGY UNDER PATENT LICENSING AGREEMENTS, ETC. GOOD RAPPORT ESTABLISHED WITH CONGRESSMAN TEAGUE AND HIS STAFF DURING MEETING. STRAUSS-HUPE

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